

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
Thursday, December 19, 2019
Regional Water Board Office
Santa Rosa, CA

ITEM: 5

SUBJECT: The 303(d) and 305(b) Integrated Report and Total Maximum Daily Loads Programs Overview (Katharine Carter and Lisa Bernard)

BOARD ACTION: This is an informational item, only. No action will be taken by the Regional Water Board.

BACKGROUND: Under section 305(b) of the federal Clean Water Act (CWA), states are required to report biennially to the United States Environmental Protection Agency (USEPA) on the water quality conditions of their surface waters. The USEPA then compiles these assessments into their *National Water Quality Inventory Report* to Congress.

Under CWA section 303(d), states are required to review, make changes as necessary, and submit to the USEPA a list identifying waterbodies not meeting water quality standards and identifying the water quality parameter or pollutant not being met. Placement on this list generally triggers development of a pollution control plan called a total maximum daily load (TMDL) for each waterbody-pollutant pair on the list.

California combines the 305(b) water quality assessment and the 303(d) list of impaired waters into one report, known as the Integrated Report. Within California, the Integrated Report is produced every two years, updating the water quality assessment for three regions in each cycle. The water quality conditions in the North Coast, Lahontan, and Colorado River regions are updated together, every six years. The water quality status of waterbodies in the North Coast Region was last updated in the 2012 Integrated Report¹. Staff are currently working with the State Water Board to complete the 2018 Integrated Report, delayed for public release until Spring 2020.

Under Section 13240 of the Porter-Cologne Water Quality Control Act and Section 303(c)(1) of the federal Clean Water Act, the water boards review their basin plans once every three year period to keep pace with changes in science, technology, policy, regulation, and physical changes within the region. Through this triennial review process, the Regional Water Board considers the full range of potential basin planning projects and identifies the highest priority projects from which to establish the Planning Unit's next three-year workplan. High priority TMDL projects are generally amongst the projects adopted by the Regional Water Board in its triennial review.

In alignment with these priorities, the Regional Water Board adopted the Russian River Pathogen TMDL in August 2019. Staff are continuing work on the Laguna de Santa Rosa

¹ https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2012.shtml

Phosphorus, Sediment, Temperature, and Dissolved Oxygen TMDL. An informational update to the Board on this project is planned for June 2020. Staff are also continuing work on the Coastal Pathogens TMDL, which addresses pathogen impacts on numerous coastal beaches and in several freshwater creeks. An informational update to the Board on this project has not yet been scheduled but can be expected in 2020.

DISCUSSION: At the December 2019 Board meeting, staff will describe to the Board and public the steps by which water quality data is collected from partners throughout the region and assessed through the Integrated Report screening process.

- Data are solicited with a deadline for submission
- Data must be uploaded into the statewide database called California Environmental Data Exchange Network (CEDEN)
- Data are assessed against water quality standards, considering the data quality and quantity requirements established by the Listing Policy²
- Listing decisions are written for each waterbody-pollutant pair that are evaluated.
- The Integrated Report is released for public review and brought to the Regional Water Board and/or State Water Board for adoption
- The U.S. Environmental Protection Agency is responsible for final review and approval

Following development of the 303(d) list of impaired waters, an approach must be defined by which to assess and address each of the identified impaired waterbody-pollutant pairs. At the December 2019 Board meeting, staff will describe to the Board and public the variety of mechanisms by which to address impaired waters.

- Develop a TMDL, which is implemented through a watershed-specific action plan, pollutant-specific implementation policy, or facility-specific permit
- Develop an alternative to a TMDL, such as a Water Quality Management Plan or Watershed Restoration Plan, which provides reasonable assurance of attaining water quality standards
- Rely on a watershed plan implemented by another agency or entity, which provides reasonable assurance of attaining water quality standards

During the December 2019 Board meeting, staff will also discuss the triennial review of the basin plan, a process which results in a Board approved list of high priority planning projects. Factors generally considered when establishing planning priorities include:

- Relevance to human health protection
- Relevance to threatened and endangered species protection

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https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2015/020315_8_amendment_clean_version.pdf

- Importance to the implementation of other Regional Water Board programs
- Stated priorities of the Regional Water Board, State Water Board, or the USEPA
- Request of stakeholders, including tribal governments, cities and counties, other state or federal agencies, non-governmental organizations, and individuals
- Availability of necessary expertise, funding and other resources

Finally, at the December 2019 Board meeting, staff will discuss several important issues relevant to the 2018 Integrated Report and future Integrated Report cycles. These include:

- The public review and approval process for the delayed 2018 Integrated Report
- A recent lawsuit against the State Water Board regarding timeliness on the Integrated Report
- Potential changes to the Integrated Report Program to better result in timely submittals

RECOMMENDATIONS: Not applicable, this is an informational item only.

SUPPORTING MATERIALS: None